

REMARKS

Applicant appreciates the Examiner's thorough consideration provided the present application. Claims 1-2, 4-6, 8-9 and 11-16, 18-19 and 22-25 are currently pending in the instant application. Claims 1, 8 and 16 have been amended. Claims 1 and 16 are independent. Claims 7 and 19 have been cancelled. Reconsideration of the present application is earnestly solicited.

Double Patenting

The Examiner had indicated that a nonstatutory double patenting rejection based upon the claims of U.S. Patent No. 5,899,956. Applicants have already timely filed a terminal disclaimer on January 3, 2001. Accordingly, Applicant submits that this rejection has been overcome. Further, Applicant respectfully submits that the claimed invention of the present application is patentably distinct from the invention of U.S. Patent No. 5,899,956.

Claim Rejections Under 35 U.S.C. § 102

Claims 1-2, 4-9, 11-16, 19-20 and 22-25 stand rejected under 35 U.S.C. § 102 as being anticipated by Masaki (JP 9-226635).

Without conceding the propriety of the Examiner's rejection, but merely to timely advance the prosecution of the present application, Applicant has amended independent claims 1 and 16. Accordingly, Applicant respectfully

submits that neither Masaki or U.S. Patent No. 5,899,956 teach or suggest each and every limitation of even the independent claims.

With respect to claim 1, the prior art of record fails to teach or suggest the unique combination of elements of the claimed invention. For example, the prior art of record fails to teach or suggest the limitation of "means for continuously capturing an actual visual scene within the vicinity of said apparatus wherein said means for capturing said visual scene is achieved by an image capturing unit, said means for continuously capturing said actual visual scene being capable of simultaneously capturing said visual scene from front, rear and side views." Accordingly, this rejection should be withdrawn.

With respect to claim 16, the prior art of record fails to teach or suggest the limitations of capturing rear and side view scenes; buffering said rear and side view scenes using said first-in-first-out mechanism to form a plurality of buffered images; and preserving said buffered images when said triggering steps occurs.

With respect to claims 13 and 14, the prior art of record fails to teach or suggest an installation means which allows the apparatus to be taken out of an installation base and to be used as a hand-held recording apparatus, wherein the installation means is selected from the group consisting of attaching the apparatus onto a surface and inserting the apparatus into a housing unit large enough to hold said apparatus.

Conclusion

All the stated grounds of rejection have been properly traversed and/or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently pending rejections and that they be withdrawn.

It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

Attached hereto is a marked-up version of the changes made to the application by this Amendment.

In the event there are any matters remaining in this application, the Examiner is invited to contact Matthew Shanley, Registration No. 47,074 at (703) 205-8000 in the Washington, D.C. area.

Applicants respectfully petition under the provisions of 37 C.F.R. § 1.136(a) and § 1.17 for two-month extension of time in which to respond to the Examiner's Office Action. The Extension of Time Fee in the amount of **\$200.00** is attached hereto.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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Attachment: Version with Markings to Show Changes Made

MARKED-UP VERSION OF THE AMENDMENTS

IN THE CLAIMS

Claims 7 and 19 have been cancelled.

The claims have been amended as follows:

1. (Thrice Amended) A digital incident recording apparatus comprising:

means for continuously capturing an actual visual scene within the vicinity of said apparatus wherein said means for capturing said visual scene is achieved by an image capturing unit, said means for continuously capturing said actual visual scene being capable of simultaneously capturing said visual scene from front, rear and side views;

means for buffering up a plurality of captured visual scenes having a finite number of storage elements over-written repeatedly using a first-in-first-out mechanism such that a finite storage can be used to hold a plurality of said visual scenes continuously;

means for preserving buffered scenes long enough to be stored and viewed after an incident has occurred; and

means for manually triggering a preservation of captured scenes, wherein said means for manually triggering can be a manual activation action, said manual activation action including taking a sequence of continuous images of said visual scene, wherein said preservation of said buffered scenes is achieved by prohibiting older said buffered scenes from being erased and replaced by new captured scenes after a preprogrammed elapsed time period such that said

plurality of said visual scenes are comprised of a number of said captured scenes captured a number of seconds before and after said manual activation action.

8. (Twice Amended) A digital incident recording apparatus as recited in claim 1, [further comprising:

an additional image capturing unit that captures scenes of side and back views,] wherein said additional image capturing unit has separate said means for buffering up said captured scenes and means for preserving said buffered scenes.

16. (Thrice Amended) A method for digitally recording incidents using a finite storage for capturing unanticipated events, said method comprising the steps of:

continuously capturing an actual visual scene in real-time and converting said actual visual scene into digital form;

continuously buffering a plurality of captured images from said capturing step using a first-in-first-out mechanism; [and]

manually triggering a permanent preservation of a plurality of frames of said buffered images; wherein said permanent preservation of a plurality of frames of visual scenes is achieved by prohibiting older said images from being erased and replaced by newer images such that said plurality of frames stored

are composed of a number of images captured so many seconds before, during
and after said triggering;

capturing rear and side view scenes;

buffering said rear and side view scenes using said first-in-first-out
mechanism to form a plurality of buffered images; and

preserving said buffered images when said triggering steps occurs.